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## NORTH EASTERN BOUNDARY.

### GOVERNOR'S MESSAGE.

To the Senate and House of Representatives:

I herewith communicate for your consideration, a communication addressed to me by the Secretary of State of the United States, with the correspondence therein referred to, in reference to the North Eastern Boundary. This communication is made by request of the President of the United States, and in compliance with his suggestion, I ask your careful and deliberate attention to the facts and propositions therein contained. The duty devolving upon me would perhaps be performed by the simple communication of these documents, without any remarks or comments of my own. But this subject, always interesting to Maine, has become more so by this direct application on the part of the President of the United States, for the expression of the wishes and will of this State in reference to the adjustment of this long pending question; and feeling a deep interest personally and officially in every thing that relates to it, and anxious mainly that the rights and honor of Maine should not be jeopardized or impaired, I feel it to be a duty which I owe to the people who have assigned me my just responsibility, to speak my honest opinions and views, plainly and unreservedly, upon the grave matters now submitted to you. I ask for my views no other weight or influence than such as their intrinsic value may entitle them to, and I desire only to be regarded as connected with you in guarding with watchful care the great interest entrusted to us, and doing my duty in this important crisis according to my best judgment. If my views are erroneous, or if I am in your opinion unnecessarily strict and severe in my judgment of intentions, or too limited in my suggestions of policy, I trust to you to correct or overrule me. I assume no right to dictate or control your action.

In the communication from Mr. Forsyth, in connection with a very lucid and interesting history of the negotiations between the two Governments, we are informed that the discussions between the Federal Government and that of Great Britain, have arrived at a stage in which the President thinks it due to the State of Maine and necessary to the intelligent action of the General Government to take the sense of this State in regard to the expediency of opening a direct negotiation for the establishment of a conventional line, and if Maine should deem an attempt to adjust the matter in controversy in that from advisable, then to ask the assent of Maine to the same.

The grave and important question therefore presented for your consideration, as you will more fully perceive, by the documents referred to, is whether you will clothe the Executive of the United States with the unlimited power of fixing a new and conventional line, in lieu of the treaty boundary.

It is certainly gratifying to perceive that the right of Maine to be heard and consulted, before the treaty line is abandoned is fully recognized by the General Government; and I have no doubt the Legislature of Maine will approach the consideration of the proposition in the same spirit in which it is offered, and with an anxious desire to terminate this long pending and embarrassing question, if it can be done without too great a sacrifice of honor and right. Although the documents are somewhat voluminous, the proposition is single and simple in its character, and easily understood.

I have given to the subject all the reflection and examination I have been able to bestow, since the reception of the documents; but with a most anxious desire to acquiesce in any reasonable proposition for a settlement, I feel constrained to say that I see little to hope and much to fear, from the proposed departure from the treaty line.

I think that the most cursory examination of the correspondence and movements on the part of Great Britain, must satisfy any one that the leading object which her diplomatists have had in view, since the result of the arbitration, has been to destroy or lay aside the treaty line, to lead us away from the clear, unambiguous, definite terms of that treaty, and involve us in interminable discussions, propositions and replies in relation to conventional lines, no one of which will be accepted unless it gives to them a large part of our territory.

We find that in May 1833, very soon after the President, in pursuance of the advice of the Senate, had opened a new negotiation to ascertain the line according to the treaty of 1783, to which treaty-line the negotiation was of course confined, the British Minister suggested that this perplexed, and hitherto interminable question, could only be set at rest by the abandonment

of the defective description of Boundary contained in the treaty, and by the two governments mutually agreeing upon a conventional line, more convenient to both parties.

The same intention is apparent in the refusal to acquiesce in the proposition to refer the settlement of the treaty line to a commission, to be constituted of an equal number chosen by each party, with an umpire to be designated by a friendly power from the most skillful men in Europe; or secondly, that the commission should be entirely composed of such scientific men in Europe, to be selected by some friendly power, to be attended in the survey and view of the country by agents appointed by the parties.

It was in answer to this proposition, that the suggestion of the impracticability of the treaty line was made, and the intention became apparent to lead us away from that inconvenient obstacle to their wishes and plans—the treaty language. The proposition was so equitable and fair—so just to all parties, and so full of promise of adjustment upon proceedings satisfactory to us, that it could not be peremptorily rejected.

But although it was entertained, the answer to it clogged the proposition with so many conditions, and so limited the powers of the commissioners, and required the concession on our part of the all important fact that the St. Johns and Restigouche are not Atlantic rivers—that the original plan was at once deprived of vitality or power of use, and in fact the reference would have been merely an agreement to abide by the decision, provided both parties should be satisfied and assent to it.

It is certainly somewhat remarkable that if the assumed fact is true, viz. that the treaty line can not be laid down or fixed according to the treaty, that so much unwillingness should be exhibited to have an attempt made to ascertain it, or if Great Britain is so strongly convinced of the justice and strength of her argument and claim, that she should be so reluctant to refer the whole question to disinterested and scientific Europeans.

There is an apparent, and I doubt not, a real anxiety to avoid discussion or examination based upon the treaty, and I fear, that if we once abandon that line in search of a conventional one, we shall never be able to bring them back again to consider the present line, or to recognize the treaty as of any binding efficacy. I fear too that the only question in negotiations for a conventional line, will be, how large a portion of our territory we must yield up. The suggestion made by our Government to take the River St. Johns from its mouth to its source, as the boundary, was rejected, with a simple expression of wonder that it should have been made; and our Government is told explicitly that "His Majesty's Government can not embarrass the negotiation respecting the boundary by mixing up with it a discussion regarding the navigation of the St. John, as an integral part of the question."

The intimation seems plain, that no negotiation for an exchange of territory or privileges will be entered into, but the single point will be, how shall the disputed territory be divided between the parties. I fear that if we abandon the treaty language, so clear and so decided in our favor, and so much at variance with their claim, we shall leave a certainty for an uncertainty, and throw doubt, confusion and embarrassment over our claim and our course of action, and yield to Great Britain the great obstacle we now present to her grasping spirit—the solemn treaty of '83.

And what security have we that any line can be fixed upon which shall be permanent, or what certainty is there that the new line may not be declared to be "impracticable," whenever it may come in contact with any of the plans or wishes of Great Britain? It would certainly be difficult to present a stronger and clearer case than we now do, and if diplomacy and skill can manufacture doubts and embarrassments in the discussion of the question, as now presented, we may well despair of ever fixing a certain and unalterable line of boundary.

If I am accused of injustice or severity in these remarks, I would point in justification to the remarkable progress of the doubts and assertions in relation to the treaty-line of Boundary. When the question as to which river was the true St. Croix of the Treaty (which was the only question then in dispute) was before the Commissioners under the Treaty of 1794, the British Agent founds his principal argument for the westernmost river, upon the ground, that a line due north from the source of that river would only include a part of one of the rivers (the St. Johns) which have their mouth within New Brunswick. He says, "The most accustomed and convenient rule in cases of this kind, is, to leave to each power respectively the sources of those rivers that empty themselves, or whose mouths are within its territory upon the sea coast, if it can be done consistently with or in conformity with the intent of the treaty. A line due north from the source of the western or main branch of the Schouadin or St. Croix, will fully secure this effect of the United States in every instance, and also to Great Britain in all instances except in that of the river St. John wherein it becomes impossible by reason that the sources of this river are to the westward,

not only of the western boundary line of Nova Scotia, but of the source of the Penobscot and even the Kennebec, so that this north line must necessarily cross the St. John, but it will cross it in a part of it almost at the foot of the highlands and where it ceases to be navigable.— But if a north line is traced from the source of the Chepnapatecook, it will not only cross the river St. John, within about fifty miles from Fredericton, the metropolis of New Brunswick but will cut off the sources of the rivers which fall into the Bay of Chaleurs, if not of many others, probably of the Neramichi, among them which fall into the Gulf of St. Lawrence, and thereby be productive of inconvenient consequences to the two powers, if not of contention between them, instead of terminating their differences in such a manner, as may be best calculated to produce mutual satisfaction and good understanding, which is one of the principal and avowed objects of the Treaty."—At this time then, there was no doubt that the line running due north to the highlands of the treaty must cross the St. John's River, and if the starting point was carried east, it is admitted that such line would cut off the Restigouche, which is nearly as far north as our claim. And certainly the line was to run equally far north, whether the starting point was east or west—unless the highlands inclined to the south. And yet we are now required as a preliminary to admit that the St. John and Restigouche are not Atlantic rivers, within the meaning of the treaty.

In 1814, when the negotiations which resulted in the Treaty of Ghent, were in progress, no pretence was made that our line did not extend beyond the St. John's and according to our present views. Great Britain then by her negotiators expressly stated that she "desires the revision of the frontier between her North American dominions and those of the United States, not with any view to an acquisition of territory, as such, but for the purpose of securing her possessions, and preventing future disputes, and such a variation of the line of frontier as may secure a direct communication between Quebec and Halifax."—And when our negotiators peremptorily refused to agree to any cession of territory, the answer was that they "were not prepared to anticipate the objections contained in the note of the American Plenipotentiaries, that they were instructed to treat for the revision of their boundary lines, with the statement which they have subsequently made, that they had no authority to cede any part, however insignificant, of the territories of the United States, although the proposal left it open for them to demand an equivalent for such cession in territory or otherwise."—And yet now that territory, which they then offered to pay us for, is claimed as clearly their own, and that line which then was admitted and recognized as including the territory as claimed by us, is now declared to be impracticable and must be abandoned, and a more convenient one sought for and established.

I feel most sensibly, that this question now presented is one of very grave importance, and that the action now to be had by the Legislature of Maine, may, and probably will have a very material influence upon the relations between this Government and Great Britain.

The painful conviction is forced upon me, that Great Britain is determined to hold this territory that she now claims, deeming it highly important as securing a connection between her provinces in time of war and peace, and I reiterate the assertion heretofore made, that "we have little to hope from the forbearance or action of the British Government." Their aim is apparent to expunge the treaty-provision, and to hold on with an unyielding grasp to their modern claim, and to reject all propositions having the treaty line for their basis. I can not but regard it as unfortunate, that our General Government, although it has recognized our right to be consulted before any conventional line should be adopted, has in a degree, at least, given countenance to the propriety and expediency of departing from the treaty line.—"In a note from the Department of State, dated 28th April, 1835, Sir Charles R. Vaughan was assured that his prompt suggestion, as His Britannic Majesty's Minister, that a negotiation should be opened for the establishment of a conventional boundary between the two countries, was duly appreciated by the President, who, had he possessed like powers with His Majesty's Government over the subject, would have met the suggestion in a favorable spirit." Such a suggestion, it seems to me, although dictated doubtless by a sincere desire to end the controversy, was well calculated to lead our opponents as a matter of policy on their part, to clog the previous proposition with insuperable difficulties, and to encourage them to persevere in their attempt to obliterate the treaty language. I think the same effect must have resulted from the singular announcement to the British Government by the late President of the United States in 1832, in opening the negotiation under the vote of the Senate, for a settlement of the Treaty line, "That if the Plenipotentiaries should fail in a new attempt to agree upon the line intended by the Treaty of 1783, there would probably be less difficulty than before in fixing a convenient boundary, as measures were in progress to obtain from the State of

Maine, more extensive powers than were before possessed, with a view of overcoming the constitutional obstacles which had opposed themselves to such an arrangement."

If a direct proposition had come to us, through the General Government, for a specific line of boundary, yielding to us territory, or privileges of navigation equivalent to the unsettled territory which we might cede to them, it would certainly have presented the question in a different aspect. But the question now is, as I understand it, whether we shall take the lead in abandoning the treaty, and volunteer propositions for a conventional line.

In respect to the proposition for additional surveys, as it seems to me inexpedient for this State to acquiesce in the proposed negotiation for a conventional line, until it is demonstrated that the treaty line is utterly impracticable and void for uncertainty, I can have no doubt that the line ought to be run, either by a joint commission of exploration and survey, or independently by our General Government, by its own surveyors. It is evident to me, that Great Britain is determined to avoid, if possible, such an examination and exploration and establishment of the line, and such proof of the real facts of the case.

It will be perceived that the President intimates that if the consent of Maine is not obtained, for entering into direct negotiations for a conventional line, and all other measures failing "He will feel it to be his duty to submit another proposition to the Government of Great Britain to refer the decision of the question to a third party." As this right is claimed on the part of the President as within his constitutional powers, without the consent of Maine, and as no action on the part of Maine in reference to this mode of adjustment is asked by the President, I forbear to comment upon it, but refer it to your consideration.

Our situation in relation to this interesting question at this moment demands the exercise of cool and dispassionate judgment, and careful, cautious but firm action. We owe it to the General Government, and our sister States, to do nothing rashly or hastily—to bear and forbear for the sake of the peace of the nation and the quiet of our borders. But we have a duty to perform to ourselves and our constituents, who have entrusted the rights and honor of Maine to our keeping. Relying upon your patriotism and intelligence and caution, I place these documents before you, and ask your action upon them, in the confident hope that the rights and the territory secured to us by our fathers, in the field and the cabinet, will not be impaired or surrendered.

EDWARD KENT.

COUNCIL CHAMBER,  
March 14, 1838.

## STATE OF MAINE.

IN SENATE.

March 14th, 1838.

Read and referred to the Committee on the North Eastern Boundary.

Sent down for concurrence.

NATH'L S. LITTLEFIELD,

President.

HOUSE OF REPRESENTATIVES.

March 14, 1838.

Read and referred in concurrence; and ordered that said Committee be instructed to procure the printing of 5000 copies thereof together with the accompanying papers for the use of the Legislature as soon as it can be done in the printing offices of this and the neighboring towns.

Sent up for concurrence.

E. H. ALLEN, Speaker.

IN SENATE.

March 14, 1838.

The Senate nonconcur the House in the printing of these documents.

Sent down for concurrence.

N. S. LITTLEFIELD,

President.

HOUSE OF REPRESENTATIVES.

March 15, 1838.

The House recede and concur.

E. H. ALLEN, Speaker.

## EXTRACT OF A LETTER

FROM

HON. JOHN FORSYTH TO GOV. KENT.

In January last, Mr. Fox, the British Minister at Washington, made a communication to the Department of State in which with reference to the objection preferred by the American Government, that it had no power, without the consent of Maine, to agree to the arrangement proposed by Great Britain, since it would be considered by that State as equivalent to a cession of what she regards as a part of her territory,—he observed, that the objection of the State could not be admitted as valid, for the principle on which it rested was as good for Great Britain as it was for Maine—that if the State was entitled to contend that, until the treaty line was determined, the boundary claimed by Maine must be regarded as the right one, Great Britain was still more entitled to insist on a similar pretension, and to assert that, until the line of the treaty shall be established satisfactorily, the whole of the disputed territory

ought to be considered as belonging to the British Crown; since Great Britain was the original possessor, and all the territory which had been proved to have been, by treaty, ceded by her, must be deemed to belong to her still.— But Mr. Fox said the existence of these conflicting pretensions pointed out the expediency of a compromise—and why, he asked, as a conventional line different from that described in the treaty was agreed to with respect to the boundary westward from the Lake of the Woods, should such a line not be agreed to likewise for the boundary eastward from the Connecticut? Her Majesty's Government could not, he added, refrain from again pressing this proposition upon the serious consideration of the United States as the arrangement best calculated to effect a prompt and satisfactory settlement between the two powers.

With reference to the American proposition to make the river St. John, from its mouth to its source, the boundary, Mr. Fox remarked that it was difficult to understand upon what grounds any expectation could have been formed that such a proposal could be entertained by the British Government; for such an arrangement would give to the United States even greater advantages than they would obtain by an unconditional acquiescence in their claims to the whole of the disputed territory—because it would give to Maine all the disputed territory lying south of the St. John—and in exchange for the remaining part of the territory lying to the north of the St. John, would add to the State of Maine a large district of New Brunswick—a district smaller in extent, but much more considerable in value than the portion of the disputed territory which lies to the north of the St. John.

With regard to the proposition for the appointment of a Commission of Exploration and Survey, Mr. Fox stated that Her Majesty's Government, that little expectation that it could lead to a useful result, but unwilling to reject the only plan left which seemed to afford a chance of making a further advance in this matter, would not withhold their consent to such a Commission, if the principle upon which it was to be formed, and the manner in which it was to proceed, could be satisfactorily settled—that of the two modes proposed in which such a Commission might be constituted, Her Majesty's Government thought the first, viz. that it might consist of Commissioners named in equal numbers by each of the two Governments, with an Umpire to be selected by some friendly European Power, would be the best; but suggested that it might be better that the Umpire should be selected by the members of the Commission themselves, rather than that the two Governments should apply to a third Power to make such a choice—that the object of this Commission should be to explore the disputed territory in order to find within its limits dividing high-lands which might answer the description of the treaty—the search to be made in a north and north west line from the monument at the head of the St. Croix—and that Her Majesty's Government had given their opinion that the Commissioners should be instructed to look for high-lands which both parties might acknowledge as fulfilling the conditions of the treaty.

In answer to the inquiry how the report of the Commission would, according to the views of Her Majesty's Government, be likely, when rendered, to lead to an ultimate settlement of the boundary question, Mr. Fox observed that, since the proposal of the appointment of a Commission originated with the Government of the United States, it was rather for that Government than the Government of Great Britain to answer this question.—Her Majesty's Government had already stated they had little expectation that such a Commission could lead to any useful result, &c.; but that Her Majesty's Government in the first place, conceived that it was meant by the Government of the United States that if the Commissioners should discover high-lands answering to the description of the treaty, a connecting line from them to the head of the St. Croix should be deemed to be a portion of the boundary between the two countries. Mr. Fox further referred the Secretary to the previous notes of Mr. McLane on the subject, in which it was contemplated as one of the possible results of the proposed Commission that such additional information might be obtained of the features of the country as might remove all doubt as to the impracticability of laying down a boundary in accordance with the letter of the treaty. Mr. Fox said that if the investigations of the Commission should show that there was no reasonable prospect of finding the line described in the treaty of 1783, the constitutional difficulties which now prevented the United States from agreeing to a conventional line might possibly be removed, and the way be thus prepared for a satisfactory settlement of the difference by equitable division of the territory; but, he added in conclusion, if the two Governments should agree to the appointment of such a Commission, it would be necessary that their agreement should be by a convention, and it would be obviously indispensable that the State of Maine should be an assenting party to the arrangement.

In acknowledging the receipt of Mr. Fox's communication at the Department, he was in-



formed, 7th February, that the President experienced deep disappointment in finding that the answer just presented on the part of the British Government to the proposition made by this Government with the view of effecting the settlement of the boundary question, was so indefinite in its terms as to render it impracticable to ascertain without further discussion what were the real wishes and intentions of Her Majesty's Government, respecting the appointment of a Commission of Exploration and Survey—but that a copy of it would be transmitted to the Executive of Maine, for the purpose of ascertaining the sense of the State authorities upon the expediency of meeting the views of Her Majesty's Government, so far as they were therein developed.

Occasion was taken at the same time to explain to Mr. Fox, in answer to the suggestion in his note of the 10th of January last, that the parallel of latitude adopted as a conventional substitute for the line designated in the treaty for the boundary westward from the Lake of the Woods, passed over territory within the exclusive jurisdiction of the General Government, without trenching upon the rights or claims of any member of the Union; and the legitimate power of the Government therefore to agree to such a line was held to be perfect: but that in according to a conventional line for the boundary eastward from the River Connecticut it would transcend its constitutional powers, since such a measure could only be carried into effect by violating the jurisdiction of a Sovereign State, and assuming to alienate a portion of the territory claimed by such State.

In reply to the observation of Mr. Fox, that it was difficult to understand upon what ground an expectation could have been entertained that the proposition to make the St. John the boundary, would be received by Her Majesty's Government, he was informed that the suggestion had been offered as the proposition on the part of Great Britain that led to it was supposed to have been, without regard to the extent of territory lost or acquired by the respective parties—and in the hope that the great importance of terminating this controversy by establishing a definitive and indisputable boundary, would be seen and acknowledged by the British Government, and have a correspondent weight in influencing its decision—that the suggestion in Mr. Bankhead's note of 28th December, 1835, of a part of the River St. John, as a portion of the general outline of a conventional boundary, apparently recognized the superior advantages of a River over a High-land boundary—and that no difficulty was anticipated on the part of Her Majesty's Government in understanding the grounds upon which such a proposal was expected to be entertained by it, since the precedent proposition of Mr. Bankhead itself alluded to, although based upon the principle of an equal division between the parties, could not be justified by it, as it would have given nearly two thirds of the disputed territory to Great Britain—that it was therefore fair to presume that the river line, in the opinion of Her Majesty's Government, presented advantages sufficient to counterbalance any loss of territory by either party, that might accrue from its adoption; and it was also supposed that another recommendation of this line would be seen by Great Britain in the fact that whilst, by its adoption, the right of jurisdiction alone would have been yielded to the United States over that portion of New Brunswick south of the St. John, Great Britain would have acquired the right of soil and jurisdiction of all the disputed territory north of that river.

To correct a misapprehension into which Mr. Fox appeared to have fallen, the distinctive difference between the American proposition for a Commission, and the proposition as subsequently modified by Great Britain, was pointed out, and he was informed that although the proposal originated with this Government, the modification was so fundamentally important, that it entirely changed the nature of the proposition; and that the supposition, therefore, that it was rather for the Government of the United States than for that of Great Britain to answer the inquiry preferred by the Secretary of State for information relative to the manner in which the report of the Commission, as proposed to be constituted and instructed by the British Government, might tend to a practical result, was unfounded. Mr. Fox was also given to understand that any decision made by a Commission constituted in the manner proposed by the United States, and instructed to seek for the highlands of the Treaty of 1783, would be binding upon this Government, and could be carried into effect without unnecessary delay, but if the substance presented by Her Majesty's Government should be insisted on, and its principles be adopted, it would then be necessary to resort to the State of Maine for her assent in all proceedings relative to the matter, since any arrangement under it can only be for a conventional line to which she must be a party.

In conclusion, it was intimated to Mr. Fox, that if a negotiation be entertained by this Government at all upon the unsatisfactory basis afforded by the British counterproposal or substitute, the President will not invite it, unless the authorities of the State of Maine shall think it more likely to lead to an adjustment of the question of boundary than the General Government deemed [it] to be although predisposed to see it in the most favorable light.

Your Excellency will perceive that, in the course of these proceedings, but without abandoning the attempt to adjust the treaty line, steps necessarily, from the want of power in the Federal Government, of an informal character have been taken, to test the dispositions of the respective Governments upon the subject of substituting a conventional for the treaty line. It will, also, be seen from the correspondence,

that the British Government, despairing of a satisfactory adjustment of the line of the treaty, avows its willingness to enter upon a direct negotiation for the settlement of a conventional line, if the assent of the State of Maine to that course, can be obtained.

Whilst the obligations of the Federal Government to do all in its power to effect a settlement of this boundary, are fully recognized on its part, it has in the event of its being unable to [do] so specifically by mutual consent, no other means to accomplish the object, amicably, than by another arbitration. In the contingency of all other measures failing, the President will feel it to be his duty to submit another proposition to the Government of Great Britain to refer the decision to a third party. He would not, however, be satisfied in taking this final step without having first ascertained the opinion and wishes of the State of Maine upon the subject of a negotiation for the establishment of a conventional line, and he conceives the present the proper time to seek it.

I am, therefore, directed by the President to invite your Excellency to adopt such measures as you may deem necessary to ascertain the sense of the State of Maine with respect to the expediency of attempting to establish a conventional line of boundary between that State and the British possessions, by direct negotiation between the Governments of the United States and Great Britain—and whether the State of Maine will agree, and upon what conditions, if she elects to prescribe any, to abide by such settlement, if the same be made? Should the State of Maine be of opinion that additional surveys and explorations might be useful, either in leading to a satisfactory adjustment of the controversy according to the terms of the treaty, or in enabling the parties to decide more understandingly upon the expediency of opening a negotiation for the establishment of a line that would suit their mutual conveniences, and be reconcilable to their conflicting interests, and desire the creation, for that purpose, of a commission upon the principles, and with the limited powers, described in the letter of Mr. Fox, the President will, without hesitation, open a negotiation with Great Britain for the accomplishment of that object.

I have the honor to be,  
With high consideration,  
Your Excellency's obedient servant,  
JOHN FORSYTH.

The following letter from the Representative in Congress from this District, together with the remarks appended to it, we copy from the New Hampshire Courier, a federal paper. The letter went the rounds of the federal press of that State, just on the eve of the election. We feel bound, in justice to the democrats of this State and District, to say, most emphatically, that the sentiments of the letter do not, in any respect, to their feelings or wishes. The letter, already taken in this Senate will show how much the gentleman's predictions on this matter are worth.—Eastern Argus.

Washington Feb. 17th, 1838.

Dear Sir:—Your letter of the 14th inst. is at hand. In reply to your inquiry, I do not hesitate to express it as both my persuasion and wish that it will not be possible for the Sub-Treasury Bill to pass the House of Representatives. I doubt even that it will get through the Senate. I certainly concur in the opinion, that it will prove one of the most unfortunate measures for the Country, if it should become a law—that has ever found its way into the administration of our Government. The way to prevent it from becoming a law, is for the people to speak in terms of settled and determined condemnation of it to their Representatives. If it becomes a law the sin of it will rest upon the Representatives of N. Y. a faction of whom can defeat it, and the curse it will inflict, will be severest upon the constituents of those Representatives. The prosperity of New York, I speak of the whole State, its energies and enterprise, will feel a blight for years to come, if the business of its citizens is narrowed down to the small limits of such a currency as the measure will only admit of. To attempt to secure a depreciated currency for the people, and one for the Government alone that will always be kept by the operation of this measure above the par value of every other description of property, is to increase the folly and the fate of him who attempts to sit himself down upon two distant and dissimilar stools. I need only add, that no political or party ostracism, and no system of personal denunciation or abuse, will deter me from acting up to the honest convictions that I entertain of this measure, or from opposing it by every fair and honorable effort in my power.

Most respectfully,  
Your Ob't Serv't, in haste,  
FRANCIS O. J. SMITH.

JOSHUA HILTON, Esq., New York City.

A good reason.—A leading federalist in this State, (not many years since) the candidate of that party for a seat in Congress, being asked to sign a memorial in Congress for the expulsion of the murderers of Mr. CLEGG, declined on the ground that if the prayer of the memorialists should be granted, a precedent would be established WHICH WOULD REACH MR. CLAY, and call for his expulsion also.—Yet the federalists complain because the democrats do not invite them to participate in their meetings on the subject of the murder.—Argus.

## OXFORD DEMOCRAT.

Paris, March 27, 1838.

### Democratic Convention.

The Democratic Republicans in the several towns and plantations in Oxford Congressional District are requested to choose and send Delegates to a Convention to be held at the Court House in Paris on WEDNESDAY the 12th day of APRIL next, at eleven o'clock A. M. for the purpose of nominating a Candidate to fill the vacancy in this Congressional District occasioned by the death of the Hon. T. J. CARTER. Each town entitled to a Representative in the State Legislature will send two delegates, other towns and plantations will send one.

Per order of the County Committee.  
March 27, 1838.  
The Age, Argus and Standard will confer a favor by inserting the above until the meeting of said Convention.

Our forebodings in our last paper relative to the Representative in Congress from this District have been painfully realized. Mr. Carter is no more. He died at Washington on the evening of the 11th inst. leaving an amiable and afflicted wife and one son of tender age to lament their untimely loss. His last hours were soothingly attended by her affectionate assistance and by the presence of three of his brothers who hastened at the first news of his dangerous illness to tender all the aid and consolation in their power to bestow. All that skill, kindness and affection could do were of no avail. He has been cut off in the prime of life in the midst of his years and usefulness, leaving to his friends but the memory of his worth and unswerving regard for his early death. The sad event was announced to the two branches of Congress by Mr. Rogers in the Senate and Mr. Evans in the House in a very feeling and appropriate manner. His funeral was attended with all the ceremonies of respect due to his station and private worth. Our own State Legislature has joined its tribute of respect for his character and regret for his loss, and his neighbors and friends in this place have testified their regard for his memory and their sympathy for his bereaved family in an appropriate manner. All has been done that public and private respect and sympathy can do by this mournful occasion. But in the bosom of the near relatives of the deceased and of his more intimate associates, there are feelings of grief which language fails to express and which no outward mourning can truly represent. Time and the higher and better consolations of religion alone can soothe their afflictions and blunt the edge of their grief. In their hearts the memory of his many virtues, his amiable character, the many excellent qualities of his head and heart, will be cherished and never forgotten till all earthly recollections fade.

"The hand of the reaper  
Takes the ears that are hoary  
But the voice of the weeper  
Wails unheeded in glory."

### NORTH EASTERN BOUNDARY.

We publish in this paper the Message of the Governor, together with a letter to him from Mr. Forsyth, containing the substance of the negotiations between the United States and the British Government in relation to this long delayed and still unsettled dispute. The substance of the negotiation appears to amount to this. England anxious to get rid of and establish the treaty line of '83 proposes to treat for a conventional line, which this government informs them cannot be done without the consent of Maine. That consent cannot be obtained from the people of Maine, nor from its government. We stand upon our rights to be secured by treaty, nor are we disposed to yield to treat about pretensions that we long since refused to treat about surrendering for an ample equivalent. From the Resolves reported and we believe passed, the Legislature appears disposed to respond to the opinions of the Governor, and to adhere to the heretofore expressed resolutions of the State to insist upon our rights and volunteer no concessions.

### NEW HAMPSHIRE ELECTION.

The democracy of the Granite State have borne themselves bravely and well in the late political contest. They have triumphed nobly and completely. They have fought against the whole monarchial power of New England, and well have they sustained the conflict. No money or means have been spared to corrupt or intimidate them, but they were neither to be intimidated or bought. The federalists now say that they had no expectations of carrying the State, but before the election they told a different story and their exertions show what their hopes were. We look upon it as not merely the triumph of a State but the triumph of the principles of democracy. Its effect will not be confined to that State, it will pervade the whole country. To us it may serve both as an example and a reward. What they have done now we might and ought to have done last fall. We trust that the lesson will not be lost upon us, but that we shall show to the world that we are worthy to march side by side with the democracy of New Hampshire.

We must endeavor to find room for the remarks of Mr. Greene, one of the Senators from Cumberland District in our State Legislature, on the Report and Resolves relative to the currency. The Governor in his Speech at the commencement of the Session truly remarked, "that there is a disposition in the community to attribute to the action of the government effects which are the result of other causes." He then in order to illustrate the truth of the remark goes on to attribute all the suffering and distress of the community to the acts of the general government. The committee to whom this part of his speech was referred, or rather the federal majority of that committee, follow out the course indicated by the Governor, and by selections of declamations and denunciations from the papers of their party, seek to make the national government responsible for all that has been suffered by the community or individuals for the last year or more, in the way of business. It is important that the people should understand the truth of this matter. We then ask from our readers an attentive perusal of this speech. They will find it interesting as well as useful. Let no one be deterred from reading it by its length. It will abundantly repay the time and attention it requires.

In compliance with the resolution passed at the meeting of the citizens of this place on the occasion of the death of the Hon. T. J. Carter, the relatives, friends and citizens attended to a discourse delivered on Sunday last by the Rev. Mr. Davis, at the Court House. The discourse was feeling and appropriate, and a large concourse of people who crowded the House testified by their presence and demeanor the respect in which they held the memory of the deceased, their regret for his early death and their sympathy for his afflicted relatives.

Our Legislature adjourned on Friday last, and the servants of the people have returned to their respective homes to give an account of their stewardship. The

number and titles of the Acts and Resolves we shall give hereafter, and furnish our readers with a copy of the public laws as soon as they are published.

At a meeting of the Citizens of the town of Paris in the County of Oxford, on the 22d of March 1838, ALANSON MELLETT, Esq. was chosen Chairman, and LEVI STOWELL, Esq. Secretary, when the following Preamble and Resolutions were unanimously adopted.

Whereas the melancholy intelligence has reached us of the death of the Hon. Timothy J. CARTER, Representative in Congress from Oxford Congressional District, a native of said District and a citizen of this Town; and whereas we have been long acquainted with the deceased, and are deeply affected by the loss thus sustained by a numerous circle of relatives, by ourselves and by the public, and whereas it is no less a pleasure and duty to us, than a duty to notice with becoming feelings, departed worth—Therefore,

Resolved, That the death of the Hon. Timothy J. CARTER, late Representative in Congress from this District has brought suddenly to our bosoms a weight and intensity of grief, which language fails to suitably express.—That while the District has lost in our National Legislature the talents and services of an able, upright and faithful Representative, we more emphatically have to mourn the loss of a neighbor, friend and fellow-citizen, whose many and generous traits of character will always be brought vividly to recollection, whenever we contemplate the excellence of our civil institutions, or the more endearing ties and relations of social life.

Resolved, That while we are unable to suppress our own private individual feelings of grief and sorrow for the loss to ourselves personally, we would be permitted to mingle them with his amiable, beloved and bereaved widow, and the fond child which lately had a Father's love and a Father's care; but both of whom we trust and hope will be the objects of the kind and substantial care of that merciful Being, who has promised that he will ever be the God of the widow, and of the orphan.

Resolved, That we tender our most heartfelt sympathy to all the surviving relatives and friends of the deceased, and that we will unite with them on the approaching Sabbath in attending to a funeral discourse, and such other ceremonies as may be agreeable to them, commensurate to the virtues of the deceased.

Resolved, That a copy of the foregoing Preamble and Resolutions be transmitted in the name of our County, and also published in the Newsmen of our County.

ALANSON MELLETT, Chairman.

LEVI STOWELL, Secretary.

FROM WASHINGTON.—One correspondent announces the melancholy intelligence of the death of another member from Maine, the Hon. TIMOTHY J. CARTER, M. C.—died at 10 o'clock Wednesday evening. It will be seen by the following communications sent to us by our correspondent, that every possible testimonial of respect have been ordered.—P. Adv.

### HOUSE OF REPRESENTATIVES.

As soon as the House was organized this morning—

Mr. EVANS, of Maine, addressed the Chair in the following words:

Mr. Speaker, these badges of mourning which we still wear denote that death has lately been in the midst of us. Again his arrow has flown, and again has the fatal shaft been sent, with unerring aim, into a small, and already broken, rank. It is my melancholy office to announce that, since the last adjournment of the House of Representatives, TIMOTHY J. CARTER, then one of its members, from the State of Maine, has surrendered up the being who gave it a life upon which many anxious hopes depended, and for whose preservation many ardent prayers had gone up to the Father of all spirits. He died last evening, at 10 o'clock, at his lodgings in this city, after a sickness of not very protracted duration, but of great and excruciating intensity of suffering and agony.—The ways of a righteous Providence are inscrutable, and while we bow in submission, we are yet oppressed with deep and solemn awe.

Our deceased friend and colleague was a native of the State and the district which, so lately, he represented, brought with him the confidence, largely bestowed, of those who had known him from his earliest years. Well did he deserve it. His character for probity, integrity, uprightness, morality, was free from spot or blemish. His principles were well founded. Loving the country of his birth, and its institutions, with all his heart, he pursued with fidelity such measures as his judgment deemed best calculated to promote the welfare of the one and the durability of the other. He was a lawyer by profession, faithful, just, discriminating, attentive, humane, in his practice.

Of manners, mild, courteous, affable; and a temper kind, conciliating, patient, he won respect and attachment, even from those who differed with him in matters of opinion; and probably there lives not a human being who has a single resentment, or one unkind recollection, to bury in his grave. He has gone, in the strength of his manhood, and the maturity of his intellect, the road that all must once pass.

"Calland, avert, ye leech!"  
The ties that bound him to life are severed forever.

As all human ties must be severed.  
L'empire des vices, et du malin, et du bon  
L'empire des vices, et du malin, et du bon  
L'empire des vices, et du malin, et du bon  
L'empire des vices, et du malin, et du bon

Although, when his eyes opened for the last time upon the earth and the sky, they fell not upon his own native hills; though the soil which shall cover him will not hasten in the same influences which clothe them in verdure and beauty; though he died far from his home, the companions and the brothers of his childhood were with him—the sharer of his joys the solace of his griefs, stood by him; and the hand which could best do it assuaged the bitter pains of parting life. The last earthly sounds which fell upon his ear were tones of sympathy, and kindness, and affection, and support—tones which ceased not, even when they vainly strove to pierce the cold and leaden ear of death.

Tears shall flow copiously, and deep sighs be heaved over his lifeless form; tears not more scalding, sighs not deeper drawn, because mingled with any bitter recollections—and unavailing regrets.

If human means could have availed—if devoted fraternal sympathy and care—if constant, abiding, self-sacrificing affection, triumphing over exhausted nature and bearing upon a feeble frame, unconscious of weariness, through long and painful vigils, could have saved his life, he

would long have been spared to the friends who now deplore his death, and to the State and to the country which he served. To that stricken bosom we proffer—alas! how little will it avail!—our sincere sympathy and condolence. He has gone from this place of earthly honors and human distinctions, to a seat in that "House" which is not made with hands, eternal in the Heavens.

As a token of our regard for his many virtues, and of our respect for his memory, I move the adoption of the resolutions which I now submit.

The usual resolutions were then offered. Mr. ROGERS addressed the Senate as follows:

Mr. PRESIDENT: The message from the House of Representatives, just read, communicating the melancholy intelligence of the death of the Hon. TIMOTHY J. CARTER, a Representative from the State of Maine, imposes on me the duty, which I cannot perform without the deepest emotion, of moving the customary resolutions of respect for the memory of the deceased. He died last evening at the hour of ten, at his lodgings in this city, after much severe but patient suffering—at peace with all, and variance with none.

I know that occasions of this kind have usually been improved to pronounce eulogies on the characters of deceased members; but the painful emotions which have been awakened by the last sad adieu of an esteemed friend and colleague, but poorly qualify me to speak at this time, and in this place, of his many virtues, his purity of heart, his engaging mildness of his disposition, the unusual excellence of the character he maintained in all his domestic and social relations. It is but to say, what all who know him as I have known him, would say, that his whole life afforded constant exemplification of the strictest moral rectitude, in the upright, faithful, conscientious performance of every duty connected with his station in society.

Though we scarcely past the morning of life, he had received many gratifying proofs of the estimation in which his talents and probity were held by the people and the friends of his State.

As a representative, he has been devotedly faithful to his trust, and fully justified the confidence reposed in his virtue and patriotism. He sought no high political distinction. He was unambitious of renown, but guided his footsteps by that calm and steady light which shines all along the pathway of duty and usefulness.

He inherited his virtue from a highly respectable parentage, and has left a wide circle of attached relatives and friends to mourn his exit, three of whom, under the ready impulses of fraternal affections, obeyed the earliest summons to his sick bed. Alas! it was but to witness, with poignant grief, the closing scene in the brief drama of human existence.

He was a husband and a father; but how can I presume here to speak of the agonized feelings of her, who whilst she gazes his latest sight, felt that as in life, so about also in death his destinies were her own!

With the deceased, life's fleeting shadow has passed by, and eternity has opened its broad portals. Nothing now remains but the tears of relatives, the regrets and sympathies of friends, and the moral influence of his example for all.

The usual resolutions were then adopted, and the Senate would attend to a report of the late Mr. CARTER, and so into mourning, by wearing crepe on the left arm for many days.

The Senate adjourned over to Saturday next.

From the Eastern Argus.  
WASHINGTON CITY, Thursday morning, }  
March 15th, 1838. }

Dear Sir:—Again the badge of mourning is hanging at the door of Beth's dwelling house—the friend, the colleague, the fellow traveler of the martyred Clegg has followed him to the land of shadows—the Hon. TIMOTHY J. CARTER is no more. Mr. CARTER's death has been a noble for several months past, but as he himself informed me within the past month, he was getting better, and until the day that consigned his noble hearted colleague to the tomb, he was regularly in his place in the House. On that day, while the parties were out, I conversed with him while in his seat, about the duel. He expressed a confident hope that the affair would be amicably settled, and that both parties would return unharmed! Also! had that hope been realized, Maine would not now be called to mourn over two of her most upright and promising young men. The shock occasioned by the untimely and awful death of his colleague had such an effect upon Mr. CARTER that his brain became disordered, and I have been told that in his delirium his constant idea was that he had been challenged to fight a duel. He continued to lose his strength gradually, under the effects of his disease, until last night, when death terminated his sufferings.

With a sad heart do I reflect upon what has occurred here within the past three weeks, and with feelings in my bosom that I dare not trust my pen to express, I leave this melancholy subject, with a hope and conviction, that these mournful events will have the moral effect which shall cause the whole nation to frown down a practice only worthy of barbarians in a barbarous age.

Respectfully yours,

### DEATH OF HON. T. J. CARTER

The melancholy duty devolves upon us today to announce the death of another member of the delegation in Congress from this State, the Hon. T. J. CARTER is no more. The particulars of his death will be found in the subjoined letter of a correspondent. Mr. CARTER was a native of Bethel, in the County



of Oxford, and was about 38 years of age. He was a lawyer by profession, having been a student with the late Gov. Lincoln. He was one of the most pleasant and amiable men living—and was strongly endeared to a large circle of personal and political friends, who will deeply regret his early death. Although not in the habit of participating in debate, he possessed a sound and discriminating mind—and his opinions were entitled to, as they always received, the respectful attention of his friends.—Eastern Argus.

### Legislature of Maine.

#### HOUSE OF REPRESENTATIVES.

MONDAY, March 19.

The following Resolutions introduced by Mr. Parris were read a second time, and unanimously passed.

**Resolved,** That the Senate and House of Representatives concurring, that the investigation into the manner and circumstances of the death of JONATHAN CILLEY, late a member of Congress from this State, instituted by the House of Representatives of Congress, was demanded by the people of this State; and it is hereby enjoined upon our Representatives in Congress, use their efforts to prevent any abandonment of the said investigation until all the facts and circumstances are ascertained and reported.

**Resolved,** That if any member or members of either House of Congress shall be implicated in any conspiracy which led to the violent death of the said JONATHAN CILLEY, it will become the imperative duty of Congress to expel such member or members.

TUESDAY, March 20.

The following Resolutions introduced by Mr. Vose were unanimously passed:—

**Resolved,** That the members of this Legislature have received with sentiments of deep regret information of the decease of Hon. TIMOTHY J. CARTER, Representative in Congress, and one of the delegation from Maine, whose amiable deportment and unblemished moral character, having justly entitled him to the respect and affection of his fellow citizens.

**Resolved,** That we deeply sympathize with his bereaved widow on this melancholy occasion, and tender her our heartfelt sympathies and unfeigned regret.

**Resolved,** That the Secretary of State be directed to furnish her with a certified copy of these Resolutions.

#### IN SENATE.

TUESDAY, March 20.

Mr. Green from the select committee in relation to the Oxford Bank, made a report upon the same, exhibiting the facts in relation to its origin and history, and accompanied by a Resolution, declaring that no such Bank has a legal existence in this State and censuring those individuals who made use of the name of that bank for fraudulent purposes. The report having been accepted, Mr. Green offered an amendment to the Resolution, and having upon such of the corporate acts named in the Act to incorporate the Oxford Bank, as had entertained a proposition to sell out their interest in that charter after it had expired by its limitation, and thereby afforded an opportunity for the commission of a fraud, to those individuals from New York, who availed themselves of it to cheat the public. Messrs. Greene, Robinson, Prince, and Osmond opposed the amendment, contending that no proposition to sell out the charter had ever been entertained by any of the original corporators except upon the express condition that it could be done legally and with the concurrence of the government of the State in relation to which they entertained doubts, and that no blame whatever could possibly attach to them. Before any question was taken the Resolution was laid on the table.

### GLORIOUS VICTORY OF N. H. HAMPSHIRE.

#### ILL ELECTED BY 3000 MAJORITY.

The result in New Hampshire has at length come to hand, and a most glorious one it is. Notwithstanding all the exertions of the federalists, Gov. Hill is re-elected by more than THREE THOUSAND MAJORITY. The democrats have also elected, says the N. H. Patriot, FOUR of the five Counsellors, EIGHT of the twelve Senators, and a MAJORITY ranging from TWENTY to THIRTY "good men and true" in the House of Representatives.—Eastern Argus.

The Patriot adds:—"Men who did not belong to this State have voted in this election. Probably from fifteen hundred to two thousand votes have been added to the federal votes by importations from Maine, Massachusetts and Vermont."

The Boston Post says:—"Mr. Hill has received the largest number of votes ever cast by the democrats of New Hampshire—he has received at least seventeen hundred more than was polled for Jackson. Electoral Ticket in 1832, and five thousand more than the whole number of votes cast in the State by both parties in 1837! Does this look like breaking down the democracy of New England?"

#### FROM THE EASTERN ARGUS.

### NEW HAMPSHIRE ELECTION.

Considering the result of this election in connection with the circumstances under which it took place, we think the democrats within the State have no reason to be dissatisfied, and those without the State no cause for complaint. Upon no previous occasion, probably, was a more desperate effort made, than that which has just failed to secure the government of the "Granite State" to the federal party. The democracy of New Hampshire had to contend

with the federalism of two States—their own, and Massachusetts—and under circumstances, the most unfortunate for the former, and the most propitious for the latter. Under a form of government like ours, times of pressure like the present will always operate, to a greater or less extent, against the party in power, however far removed from its acts and policy, the cause of that pressure may be—individuals who find themselves in trouble, are too apt, in seeking for the cause, to look beyond their own acts, and to place the blame upon the shoulders of innocent men—and this disposition, inseparable from human nature, undoubtedly exercised, to some extent, a detrimental influence upon the republican party.

The result of the contest—the re-election of Gov. HILL by a handsome majority, and by the largest vote ever received by any individual in that State—is an eloquent and withering rebuke to the federalists of Massachusetts, whose officious intermeddling with the election should arouse the indignation of every true democrat. The Massachusetts federalists have participated as warmly and freely in the canvass as if it had been in their own State—they have sent to the aid of their New Hampshire brethren, scores of corrupt political missionaries—cartloads of lying newspapers—and thousands of dollars, in case which might have been more honestly applied in paying clerks upon the dishonored paper of its contributors. "Blackmail" was publicly levied in Boston to carry on the contest—contributions were taken up in the Insurance Offices, on Charge, and in Counting Rooms—and every means, dishonest as well as honest, put in requisition to carry the incorruptible State of New Hampshire—but "none of these things moved her"—and she has done herself immortal honor by speaking out, in a manner not to be misunderstood, in favor of democratic men and measures. Another year, she will much increase her majority; and, unsuccessful now, with every thing in their favor, the federalists may as well retire, and leave the field to pay which is able and sure to carry it with or without excitement—under favorable or unfavorable auspices.

From the Portland Standard.

**THE PROSPECT.** We continue to receive, from all parts of the State, the most cheering intelligence.—The Democratic Republicans are rousing themselves from the state of security and overweening confidence which had such disastrous influence upon their fortunes during the late campaign. A fine spirit of harmony and concession prevails. The peculiar crisis in which the country is placed, has brought out into more marked prominence than for years before, the great dividing principles of the two parties. The administration at Washington, in proposing and firmly adhering to a financial system independent of Banks against an opposition whose characteristic hostility has waxed a hundred fold more intense at the prospect of severing political power from the aristocratic and monied interests of the country, and in carrying out the republican principle in relation to the tenure of office, has planted itself upon solid ground, not to be shaken, and is destined to wax stronger and stronger in the confidence of a patriotic intelligent people. In our own State we have an exhibition of the true character of the federalism, contradicting, in one hour of its brief authority, the principles it has proposed to advocate for a half century—endeavoring to aid the operations of the monied aristocracy in its warfare on equal rights, and to intimidate, by threats or misrepresentations, all who have the moral courage to maintain the rights of the people. The enemy is utterly powerless in himself and has been so uniformly prostrated whenever his principles and purposes have been unmasked—that we have little apprehension of the result of another encounter.

In the meantime the democracy are becoming more and more firmly united, sectional interests and personal preferences will all be laid, a willing sacrifice, on the altar of the public good. While adhering firmly to their old and cherished principles and determined, in no event, to permit them to be overlooked or disregarded, they are prepared to make concession of everything which does not conflict with them. The recent town elections have exhibited the first fruits of this renewed life and growing unanimity. The old tactics of our opponents—"divide and conquer"—has lost its power. They cannot, we believe, now put the result of the political elections upon collateral issues, but must meet, face to face, the real and substantial questions now before the country, and which, as pressed by our opponents, are assuming a form of deep and implacable hostility to the rights of the people.

The democracy now see that the Bank aristocrats, not satisfied with the decision of the people, on their own appeal, against them, are preparing to reconstruct their power, and by means as revolting to every dictate of patriotism and justice, as the end is an undisguised attack upon the fundamental principles of our government and an alarming invasion of the liberties of the people. It is now openly proclaimed that the country is to know no prosperity, nor business a respite from their warfare, until the people shall lay down their arms and yield themselves up—the unresisting subjects of a National Bank. That this is the real question at issue—that this is the substance of their policy, and the sum and substance of their policy, is admitted by all the acknowledged organs of the federal party. In yielding upon the floor of Congress to the project of a State Bank deposit system, they adopt, in their judgment, the readiest practicable mode of restoring ultimately the entire currency of the country and the revenues of the government to the guardianship of a great central monopoly. In

deed the existing condition of things present, but two alternatives—the question before the country has but two sides—there is no half way house—no equivocal position between the two upon which a honest politician can safely take his stand. Those who oppose the treasury independent of Banks throw the weight of his influence into the scale of a National Bank. The crisis allows no neutrality.

Can any man who understands the character of the American people, doubt the result of this contest? The equity and soundness of the measures on which the administration has taken its stand, will be more and more conspicuous as it is more freely subjected to public discussion. And though all the winds of doctrine (says Milton) were let loose to play upon the earth, so truth be in the field, we do injuriously misinterpret her strength. Let her and falsehood grapple: Whoever know truth put to the worst in a free and open encounter?"

#### STATE OF MAINE.

#### BY THE GOVERNOR.

#### A PROCLAMATION.

#### FOR A DAY OF

#### Public Humiliation, Fasting, and Prayer.

The opening year reminds us of the custom of our pious fathers, who laid the foundation of our civil institutions upon the broad basis of religious principle, of designating a day for the whole people to unite in penitent confession of their sins, and humble supplication for a blessing upon the labors of the coming season.

In compliance with a custom so venerable and so useful, I do, with the advice and consent of the Executive Council, appoint Thursday, the twelfth day of April next, to be observed by the people of this State, as a day of public humiliation, fasting and prayer. And the people are requested to assemble in their respective places of Public Worship, on that day, to unite in devotional exercises appropriate to the occasion.

May it be regarded as a day for reflection and repentance, in view of our national and collective offences and neglects of duty. May we bow in deep humiliation, that we have received so much and improved so little; that there is so much injustice, immorality, profligacy and intemperance; that the passions and principles of men are so little under the guiding influence of the precepts and doctrines of the Christian religion; that we witness so few of the peaceful fruits of righteousness, and so many of the bitter fruits of unrestrained indulgence; that as a nation we have been so highly exalted and have so constantly enjoyed the benignant smiles of Providence, and have thought so much of the gift and so little of the Giver; that our gratitude and obedience have not been proportioned to our favors and obligations; and that our national blessings have so far exceeded our national virtues.

Our sins as a State are the aggregate result of individual offences, may each citizen therefore feel a personal responsibility, and confess and forsake his own evil ways, so that we may become a people purified and prepared for our manifold blessings, and ready to ask in humility and hope for a continuance and increase of unmerited favors.

Let us pray for the health of the community; that the pestilence which walketh in darkness may not visit us—for our rulers, that "they may be just men, fearing God"—for our temporal interests, that success may attend honest industry upon sea and land, that the dark cloud that now hangs over us may be dispelled, and that we may learn wisdom and humility from our temporal reverses—for our institutions of learning, that they may be fountains of moral, religious and intellectual health and vigor—for our ministers of religion, that they may preach the truth with meekness and with power—for the great moral and benevolent movements of the age, that they may be guided by wisdom and crowned with success—for our nation, that oppression and iniquity may cease, and peace, plenty and righteousness be preserved and increased—for our brethren of the human race, that the blessings we ask for ourselves may be bestowed upon them—that the pure and holy religion of Christ, in all its simplicity and truth, may be extended throughout the earth, and that we may be blessed with its cheering and saving influence; that the nations that sit in darkness; and that the whole world may come to the knowledge of the true God, and bow in humble submission to his holy will.

And the people of this State are requested to abstain from labor or recreation inconsistent with the solemnities of the day, or tending to defeat the beneficial effects upon the character and conduct of the community, which, in its original institution, it was intended to produce.

GIVEN AT THE COUNCIL CHAMBER AT AUGUSTA, this ninth day of March, in the year of our Lord one thousand eight hundred and thirty eight, and the sixty-second year of the Independence of the United States of America.

EDWARD KENT,

By the Governor.

SAMUEL P. BENSON, Secretary of State.

#### WHITE OAK.

THE subscriber has on hand and for sale White Oak Timber suitable for Cart and Wagon Wheels. Also—White Oak Plank and Boards. Mechanics in want of Oak Lumber are invited to call and examine the quality for themselves.

CHAS. DURELL.

Oxford, Craigie's Mills, March 24, 1838. 4w33

#### NOTICE.

THIS is to certify that I have this day sold to my son, CYRUS H. RIPLEY, his time until he is twenty one years of age, with power to act and sign for himself. I shall claim none of his earnings nor pay any debts of his contracting after this date.

JOHN RIPLEY, Jr.

Paris March 26th, 1838. 3w33

#### NOTICE.

THE subscriber intending to make a change in his business requests those indebted to him whose accounts have been open years standing to call and settle. FOR SALE, a general assortment of Goods for the Season—cheap for cash or Produce.

March 24, 1838. FRANCIS DEMIS. 1832

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

ALLEN FUSILLIP, named Executor in a certain instrument purporting to be the last Will and Testament of Joseph Allen late of Turner in said county, deceased, having presented the same for probate.

That the said Executor give notice to all persons interested by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the said instrument should not be proved, approved, and allowed as the last will and testament of said deceased.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

FRANCIS BARKER, named Executor in a certain instrument purporting to be the last Will and Testament of Isaac J. Barker late of Bellet in said county, deceased, having presented the same for probate.

That the said Executor give notice to all persons interested by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the said instrument should not be proved, approved, and allowed as the last will and testament of said deceased.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

TIMOTHY WALKER, Administrator of the estate of David Abbott, late of Rumford, in said county, deceased, having presented his second account of administration of the estate of said deceased.

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

ON the petition of Cud P. Jones, Guardian of Jonathan Sanders of Norway, in said county, Non Compos, representing that the personal estate of said Sanders is not sufficient to pay the just debts, which he owes by the sum of fourteen dollars, and forty cents and praying for a license to sell and convey so much of the real estate of said Sanders as may be necessary to pay the same, and for incidental charges.

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

ALFRED BRIDGES, Administrator of the estate of Alanson Bridges late of Paris, in said county, having presented her first account of administration of the estate of said deceased.

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

ON the petition of Jos. B. Thayer, Administrator of the estate of Moses Dudley late of Paris, in said county, deceased, representing that the personal estate of said deceased is not sufficient to pay the just debts, which he owed at the time of his death by the sum of one hundred and fifty dollars and praying for a license to sell and convey so much of the real estate of said deceased as may be necessary for the payment of said debts and incidental charges.

That the petitioner give notice thereof to all persons interested in said estate, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock A. M. and show cause, if any they have why the prayer of said petition should not be granted.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator on the estate of

WILLIAM H. MUZZY.

late of Oxford in the County of Oxford, deceased, by giving bond as the law directs.—He therefore requests all persons who are indebted to the said deceased's estate, to make immediate payment; and those who have any demands thereon to exhibit the same to him.

WILLIAM H. MUZZY.

Oxford, March 6, 1838. 31

#### Commissioners' Notice.

WE the subscribers having been appointed by the Hon. Stephen Emery, Esquire, to receive and examine the claims of creditors to the estate of Amos Perley late of Canton, deceased, represented insolvent, do hereby give notice that eight months from the date of his claims; and that we shall attend that service at the office of R. Washburn in Livermore, on the last Mondays of April and October next at ten o'clock A. M. on each of said days.

Dated at Livermore this tenth day of March, A. D. 1838.

ISRAEL WASHBURN, } Com'rs.  
RANSOM J. NORTON, }

#### GUARDIAN SALE.

BY virtue of a License from the Judge of Probate for the County of Oxford, I shall sell at Auction on the first Monday of April next at ten o'clock A. M. on the Premises, if not previously disposed of at private sale, about eighty acres of land in the town of Weld in said County, I. H. H. a minor child of Asa Holt, and being the same land which descended to her from her father Asa Holt, and which she made known to me as being the same land. Terms of sale made known at the time of sale. STEPHEN HOLLY, Guardian.

Weld, March 6, 1838. 3w30

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

ON the petition of Timothy Huchinson Administrator of the estate of Samuel Pingree late of Albany in said county, deceased, representing that the personal estate of said deceased is not sufficient to pay the just debts, which he owed at the time of his death by the sum of one hundred dollars and praying for a license to sell and convey so much of the real estate of said deceased as may be necessary for the payment of said debts and incidental charges.

That the petitioner give notice thereof to the heirs of said deceased and to all persons interested in said estate, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock A. M. and show cause, if any they have, why the prayer of said petition should not be granted.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

WILLIAM THOMPSON, Administrator of the estate of Richard Penhody late of Canton in said county, deceased, having presented his third account of administration of the estate of said deceased, and also his own private account against said estate.

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

SULLIVAN FULLER, Administrator of the estate of Zebulon Cookman late of Oxford in said county, deceased, having presented his first account of administration of the estate of said deceased.

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

ON the petition of Benjamin Gould Administrator of the estate of Benjamin Gould, Jr. late of Cuthbert in said county, deceased, representing that the personal estate of said deceased is not sufficient to pay the just debts, which he owed at the time of his death by the sum of one hundred dollars, and praying for a license to sell and convey so much of the real estate of said deceased as may be necessary for the payment of said debts and incidental charges.

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

ON the petition of Esther Briggs, administrator of the estate of Alanson Briggs, late of Paris in said county, deceased, representing that the personal estate of said deceased is not sufficient to pay the just debts, which he owed at the time of his death by the sum of three hundred dollars and praying for a license to sell and convey so much of the real estate of said deceased as may be necessary for the payment of said debts and incidental charges.

That the petitioner give notice thereof to the heirs of said deceased and to all persons interested in said estate, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock A. M. and show cause, if any they have, why the prayer of said petition should not be granted.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

TIMOTHY HUTCHINSON, Administrator on the estate of Samuel Pingree late of Albany, in said county, deceased, having presented his first account of administration of the estate of said deceased.

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

FRANCIS BARKER, named Executor in a certain instrument purporting to be the last Will and Testament of Moses Barker late of Bellet in said county, deceased, having presented the same for probate.

That the said Executor give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the tenth day of April next, at ten o'clock in the forenoon, and show cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

Copy, Attest—Levi Stowell, Register.

At a Court of Probate held at Paris, within and for the County of Oxford, on the sixth day of March in the year of our Lord eighteen hundred and thirty-eight.

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator on the estate of

EARL WOOD.

late of Turner, in the County of Oxford, deceased, by giving bond as the law directs.—He therefore requests all persons who are indebted to the said deceased's estate to make immediate payment; and those who have any demands thereon, to exhibit the same to him.

ROYAL WHITMAN.

Turner, March 6, 1838. 31

#### NOTICE.

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator on the estate of

JOHN C. LORD.

late of Denmark, in the County of Oxford, deceased, by giving bond as the law directs.—He therefore requests all persons who are indebted to the said deceased's estate to make immediate payment; and those who have any demands thereon, to exhibit the same to him.

LEVI P. SAWYER.

Denmark, March 6, 1838. 31



We have advertised in this place to come for

The State has its constitutional rights which she may invoke, and which must be respected. If, then, in the progress of the contemplated negotiation, it should be found, that what is demanded as her right by Maine, is now utterly unattainable, and if the State, insisting upon its extreme right, denies to the United States all power under any circumstances, to make even a beneficial compromise; it is well to enquire at this stage of the proceeding, where is the controversy, and the well known state of things, and the onward course of events within the State, to lead us? Hence in order that the President may be enabled to open such negotiations, unembarrassed by conflicting power and jurisdiction, and with a reasonable or possible prospect of bringing the controversy to an amicable close, the proposition, "That the Legislature of Maine should provisionally surrender to the United States, all claim to jurisdiction and right of soil over the territory lying north of the river St. John and east of the river St. Francis as heretofore described," Maine in such case, and in any event to be indemnified for any portion of the territory, thus provisionally surrendered to the United States, if ultimately lost to the State, by adjoining territory to be acquired; and, so far as that should prove inadequate, at the rate of one million of acres of the whole territory surrendered—said lands, thus to be appropriated, to be sold by the United States at their expense, and the proceeds to be paid without deduction into the Treasury of the State. We deem it proper in connection with this subject to add, that the present minimum price of the public lands of the United States, is one dollar twenty-five cents the acre; that those situated in the territory of Michigan are rapidly coming into the market, and that the demand for them, it is understood, is steadily increasing. We also take the liberty in this place to express the opinion, that should the agreement we have entered into in behalf of the State, be ratified by the Legislature, and should the Congress of the United States by any act of legislation, diminish the value of the lands, proposed to be appropriated and pledged in indemnity to the State, the United States

continue to protest against the same, and that it was the desire of the Legislature and Government of Maine, that new negotiations should be opened for the purpose of having the line designated by the Treaty of Peace of 1783, run and marked according to that treaty, and that should be found impracticable, for the establishment of such a new boundary between the dominions of the United States and Great Britain, as should be mutually convenient, Maine in such case to be indemnified, so far as practicable, for jurisdiction and territory lost in consequence of any such new boundary, by jurisdiction and other rights to be acquired by the United States over adjacent territory, and transferred to said State. And for these purposes the undersigned Commissioners were desired to enter into a provisional agreement to cede to the United States the right and claim of Maine to jurisdiction over the territory lying north and east of the line designated by the arbitrier, and her interest in the same, the said State of Maine and the State of Massachusetts owning owners of the land in equal shares ; suggesting at the same time the propriety of suspending the conferences until the Senate of the United States, whose advice it had become the duty of the President to take, and before whom the message for that purpose was then under consideration, should finally act in the matter, which suggestion the Secretaries of State, the Treasury, and of the Navy acquiesced in.

SENATE.

I will continue my sketches, and give you a group—not the pliz of a lawyer among them, gives me pleasure to present to the mind's eye of your readers, the Hon. J. PRINCE, Senator from the county of Oxford. A sterling democrat of the old school—sound in principle, unswerving in his opinions—consistent in his course, he is a pillar of strength in the good cause. Mr PRINCE is a farmer—the most useful as well as the most noble of all employments; and having had much experience in county and town business, and possessing a thorough knowledge of the wants of the people, his opinions are relied upon with confidence. Being a ready penman, and rapid in calculations, his services on the numerous Committees of which he is a member, are invaluable. Patient in argument, and conciliatory is his course towards those who differ from him in opinion, he is esteemed and respected by all, First ascertaining at it is right, he “goes the whole length” for

**FOR SALE,**  
THE Farm formerly owned and occupied by Nathan Foster, Jr. late of Norway, deceased, for the benefit of the heirs of said deceased, containing fifty acres land well divided into mowing, tillage, pasturing and good-land, with a House and Barn on the same. For a more particular description inquire of

MOSES F. KIMBALL,  
**JOB WORK,**  
NEATLY EXECUTED AT THIS  
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